

### **REMARKS/ARGUMENTS**

Reconsideration and allowance of the present application based on the following remarks are respectfully requested. Claims 1 and 24 have been amended. Support for the amendments may be found throughout the specification. No new matter has been added as a consequence of these amendments.

Claims 1, 2 and 31 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,610,811 ("Westfechtel"). Claims 10, 14-19, 24-26 and 29 stand rejected under 35 U.S.C. §102(e) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Westfechtel. Claims 3, 7, 9, 11-12, 20, 23, 30, 32-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Westfechtel.

Claims 1, 3, 4, 7, 20, 33 and 34 stand rejected under 35 U.S.C. §102(e) as being anticipated by JP 2003-013032 ("Tetsuo"). Claims 10, 14-19, 24, 26, 29, and 31 stand rejected under 35 U.S.C. §102(e) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Tetsuo. Claims 1-4, 7, 9-20, 23-26 and 29-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Westfechtel in view of Tetsuo.

Claims 1, 3, 4, 9, 10, 14-19, 24, 26 and 33-34 stand rejected under 35 U.S.C. §102(a) as being unpatentable over U.S. Patent 3,264,236 ("Santaniello").

Claims 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Westfechtel in view of U.S. Patent 5,994,493 ("Krebs"). Claims 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tetsuo in view of Krebs. Claims 21-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Westfechtel in view of Tetsuo and Krebs.

All these rejections of the claims are traversed and the claims are believed to be patentable over the cited references in view of the amendments to the claims and for at least the following reasons.

Applicants hereby re-assert the arguments from the previous amendment dated September 9, 2009. In particular, Applicants note that the present adhesive is formed from a polyol, comprising a polyester, wherein the NCO:OH molar ratio of the polyisocyanate and the polyester is 2:1 to 16:1. In contrast, the NCO:OH ratio of the polyurethanes in Westfechtel's is between 1.2:1 to 0.8:1 (see Westfechtel at col. 5, lines 21-24).

Applicants note that the moisture-curable adhesives of the pending claims, as amended, comprise the reaction product of at least one polyisocyanate and at least one polyol, consisting of a polyester formed from, *inter alia*, aliphatic dicarboxylic acids, wherein the adhesive has an isocyanate content in the range of 10 to 40% NCO.

Accordingly, Applicants submit that there is no discussion in Westfechtel that anticipates or renders obvious the moisture-curable adhesive of the claims as amended. Moreover, it is noted that none of the other cited references cure this deficiency.

Turning to the adhesive compositions of Tetsuo, it is noted that these compositions comprise aromatic acids (see Tetsuo at paragraphs 26-28). In contrast, Applicants direct the Examiner's attention to the non-dimer fatty acids of the pending claims, as amended, which are aliphatic dicarboxylic acids, *i.e.* not aromatic acids.

In regards to Santaniello, Applicants submit that the isocyanate content in Santaniello's composition is at best 6% (see Santaniello at col. 3, line 20), the isocyanate content of the pending claims is in the range of 10 to 40% NCO.

Finally, Krebs fails to cure the noted deficiencies of the cited primary references. Accordingly, as all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.



Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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